

REMARKS

This Amendment is filed in response to the Office Action mailed Oct. 16, 2008 and the telephonic interview with the Examiner on Jan. 15, 2008. The Applicant believes the application is in condition for allowance and respectfully request issue of a Notice of Allowance.

Claims 1-14, 17-20, 42, and 44-53 are now pending in the application

Claims 1-11 and 17 are amended.

Claims 15-16, 21-41 and 43 now stand cancelled.

New claims 49-53 are added.

Interview Summary

On Jan. 15, 2008 the Applicant's attorney and the Examiner conducted a brief telephonic interview. Proposed claim amendments were discussed in relation to claims 1, 6, 11, and 17. The Applicant has amended these claims in light of the limitations discussed.

Allowable Subject Matter

At page 23 of the Office Action, the Examiner has allowed claims 45-48.

Claim Rejections – 35 U.S.C. §103

At pages 2-10 of the Office Action, claims 1, 2, 4, 6, 7, 9, 11, 13, 17 and 19 and 41-44 were rejected under 35 U.S.C. §103(a) over Azuma et al., U.S. Patent No. 6,430,150 (hereinafter "Azuma") in view of Nishimura et al., U.S. Patent No. 5,235,599 (hereinafter "Nishimura").

The Applicant has amended claims 1, 6, 11, and 17. In light of the Examiner's allowance of claims 45-48 and discussion with the Examiner in the telephonic interview of on Jan. 15, 2008, the claims are believed to be allowable.

Further, claims 2, 4, 7, 9, 13, 19, 42, and 44 are dependent claims that dependent from independent claims 1, 6, 11 and 17. Claims 2, 4, 7, 9, 13, 19, 42, and 44 are believed to be allowable due to their dependency, as well as for other separate reasons.

Claims 41 and 43 are no longer pending and accordingly their rejection is believed to be moot.

At pages 11-22 of the Office Action, claims 3, 5, 8, 10, 12, 14-16, 18, and 20-35 were rejected under 35 U.S.C. §103(a) over Azuma in view of Katzela et al., U.S. Patent No. 5,872,773 (hereinafter Katzela) in further view of Nishimura.

Claims 3, 5, 8, 10, 12, 14, 18, and 20 are dependent claims that dependent from independent claims believed to be allowable, as discussed above. Claims 3, 5, 8, 10, 12, 14, 18, and 20 are believed to be allowable due to their dependency, as well as for other separate reasons.

Claims 21-35 are no longer pending and accordingly their rejection is believed to be moot.

New Claims

The Applicant has added new claims 49-53. Such claims are believed to be allowable in light of the indicated allowance of claims 45-48.

Request for Interview if Remaining Issues

The Applicant believes the application should be in condition for allowance with all objections and rejections addressed. Should, however, the Examiner believe there are still remaining issues that could delay issue of a Notice of Allowance, the Applicant respectfully requests that the Examiner telephonically contact the Applicant, in hopes that any such issues may be addressed in an expedited manner, for example, by Examiner Amendment. The undersigned attorney may be reached at 617-951-2500.

In summary, all the independent claims are believed to be in condition for allowance and therefore all dependent claims that depend there from are believed to be in condition for allowance. To the extent any objections or rejections are still applicable, they are respectfully traversed. The Applicant respectfully solicits favorable action.

Please charge any additional fee occasioned by this Petition to our Deposit Account No. 03-1237.

Respectfully submitted,

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